

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
WAYS AND MEANS**

**Friday, April 21, 2017  
9:30 AM  
State Capitol, Conference Room 211**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 97, SENATE DRAFT 1  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED AND RECLAIMED (FILLED)  
LANDS AT KUAU, MAKAWAO, PAIA, MAUI, FOR MAINTENANCE AND REPAIRS  
OF THE EXISTING ROCK WALLS, REVETMENTS, STAIRWAY, AND LAWN  
OVER, UNDER, AND ACROSS STATE-OWNED LAND**

House Concurrent Resolution 97, Senate Draft 1 requests the authorization to issue a term, non-exclusive easement covering a portion of state submerged and reclaimed (filled) land identified as seaward of Tax Map Key (2) 2-6-012:026, Kuau, Makawao, Paia, Maui with an area of 1,059 square feet, more or less for the maintenance, repair, replacement and removal of an existing seawall, revetment, stairs and yard area over, under and across State owned land. **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The owners of the abutting property worked with the Department to obtain approval of a 55 year term, non-exclusive easement for seawall, revetment, stairs and yard area purposes consisting of an area of 1,059 square feet, more or less, from the Board of Land and Natural Resources at its meeting on November 30, 2012 under agenda item D-5. As required by Section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". An independent appraisal obtained by the Department determined the fair market value of the easement at \$68,300.00, and consideration for the easement was paid to the Department.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON, P.E.**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS